

**BEFORE THE WASHINGTON STATE
UTILITIES AND TRANSPORTATION COMMISSION**

In the Matter of the Petition of)	DOCKET NO. UT-030501
)	
)	ORDER NO. 01
WorldxChange Corp. d/b/a Acceris)	
Communications Partners; Acceris)	
Communications Solutions)	
)	
)	
Petitioner,)	
)	
For Exemption from WAC 480-120-139.)	ORDER GRANTING EXEMPTION
.....)	

BACKGROUND

- 1 On April 10, 2003, WorldxChange Corp. d/b/a Acceris Communications Partners; Acceris Communications Solutions (Acceris) filed with the Commission a petition requesting exemption from WAC 480-120-139 for the transfer of intrastate intraLATA and interLATA toll customers from Local Telcom Holdings, LLC d/b/a Transpoint Communications (Transpoint) to WorldxChange Corp. d/b/a Acceris Communications Partners; Acceris Communications Solutions (Acceris).

- 2 The reason for this request is prompted by the Petitioner’s agreement to transfer the customer base of Local Telcom Holdings, LLC d/b/a Transpoint Communications (Transpoint), whose accounts are comprised of both intraLATA and interLATA toll service. Under WAC 480-120-139, “Changes in local exchange and intrastate toll services,” Acceris would not be able to submit a change in a customer’s intrastate toll service without confirming the customer’s authorization in accordance with requirements.

3 The request for exemption of WAC 480-120-139 is limited specifically to the
transfer of Transpoint's customer base. Customer notice has been reviewed by
Commission Staff and will be mailed to all affected customers informing them of
their options. Acceris will pay the switching fees directly to the local telephone
companies causing no direct charge to Transpoint's customers pursuant to
transferring the customers to Acceris. Acceris' products and services are similar
to those offered by Transpoint. Acceris' customer rates are the same or lower
than Transpoint's existing rates. Acceris will provide to customers notice of
changes in rates and services.

FINDINGS AND CONCLUSIONS

- 4 (1) The Washington Utilities and Transportation Commission is an agency of
the State of Washington vested by statute with the authority to regulate
rates, rules, regulations, practices, accounts, securities, and transfers of
public service companies, including telecommunication companies. *RCW*
80.01.040; Chapter 80.04 RCW, and Chapter 80.36 RCW.
- 5 (2) Acceris and Transpoint are engaged in the business of providing
telecommunication services within the state of Washington and are public
service companies subject to the jurisdiction of the Commission under the
provisions of Chapter 80.36 RCW.
- 6 (3) Acceris is subject to the provisions of WAC 480-120-139, requiring
telecommunication companies to obtain customer authorization prior to
switching a customer's service.
- 7 (5) WAC 480-120-015 provides that the Commission may grant an exemption
from the provisions of any rule in Chapter 480-120 WAC, if consistent

with the public interest, the purposes underlying regulation and applicable statutes.

- 8 (6) Commission Staff reviewed the request and recommended granting Acceris' request for exemption, subject to the mailing of the customer notice.
- 9 (6) This matter was brought before the Commission at its regularly scheduled meeting on May 14, 2003.
- 10 (7) After review of the petition filed in Docket UT-030501 by Acceris on April 10, 2003, and giving due consideration, the Commission finds that the exemption from WAC 480-120-139 is consistent with the public interest and should be granted.

ORDER

THE COMMISSION ORDERS:

- 11 (1) After the effective date of this Order, WorldxChange Corp., d/b/a Acceris Communications Partners; Acceris Communications Solutions is granted an exemption from WAC 480-120-139, Changes in local exchange and intrastate toll services, for the initial transfer of intraLATA and interLATA toll customers from Local Telcom Holdings, LLC d/b/a Transpoint Communications.
- 12 (2) This exemption is subject to WorldxChange Corp., d/b/a Acceris Communications Partners; Acceris Communications Solutions mailing of customer notices.

The Commissioners, having determined this Order to be consistent with the public interest, directed the Secretary to enter this Order.

DATED at Olympia, Washington, and effective this 14th day of May, 2003.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

CAROLE J. WASHBURN, Secretary